

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.:	10/579,575	§	Confirmation No.:	5664
		§		
Applicant:	Pierre Lescuyer	§	TC/A.U.:	2443
		§		
Filed:	08/24/2009	§	Examiner:	Kyung H. Shin
		§		
Title:	Method For Safety	§	Docket No.:	16359FRUS03N
	Control Of Data	§		(NRT.0170US)
	Exchange Flows Between	§		
	A Communications	§		
	Module And A	§		
	Communications	§		
	Network And Said	§		
	Communications Module	§		

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Dear Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal.

It is respectfully submitted that the obviousness rejection of independent claim 26 over Kavanaugh in view of Hippelainen is erroneous.

To make a determination under 35 U.S.C. § 103, several basic factual inquiries must be performed, including determining the scope and content of the prior art, and ascertaining the differences between the prior art and the claims at issue. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 U.S.P.Q. 459 (1965). Moreover, as held by the U.S. Supreme Court, it is important to identify a reason that would have prompted a person of ordinary skill in the art to combine reference teachings in the manner that the claimed invention does. *KSR International Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741, 82 U.S.P.Q.2d 1385 (2007).

Independent claim 26 recites a method comprising:

activating, by a mobile station, plural communication contexts for communication of data in respective communication sessions between the mobile station and at least one other endpoint over an access network and core network;

in response to activation of each of the plural communication contexts, creating, in the mobile station, a corresponding security task that furnishes a respective firewall function, wherein the firewall function of each of the security tasks is associated with a respective set of filtration parameters, wherein the set of filtration parameters for a first of the security tasks differs from the set of filtration parameters for a second of the security tasks; and

limiting data flow in each of the communication sessions using the respective firewall function in the mobile station according to the corresponding set of filtration parameters.

In the rejection of claim 26, the Office Action stated that Kavanaugh “does not explicitly disclose plural communication contexts.” 10/13/2010 Office Action at 9. Instead, the Office Action argued that Hippelainen purportedly discloses the foregoing subject matter. *Id.*

It is respectfully submitted that the obviousness rejection is erroneous since neither Kavanaugh nor Hippelainen discloses or hints at creating, in **the mobile station**, a corresponding security task that furnishes a respective firewall function, in response to activation of each of the plural communication contexts by **the mobile station**. Moreover, there is no hint in either Kavanaugh or Hippelainen regarding limiting data flow in each of the communication sessions using the respective firewall function **in the mobile station** according to the corresponding set of filtration parameters.

The GTP filter of Kavanaugh inspects “all GTP packets and performs specific filtering rules ....” Kavanaugh, ¶ [0034]. As noted in Kavanaugh, “it would be advantageous to have a method of filtering IP packets when utilizing GTP signaling messages between GSNs in a GPRS network.” *Id.*, ¶ [0012]. A “GSN” refers to a GPRS support node, as explained in ¶¶ [0005]-[0009] of Kavanaugh. As further noted in Kavanaugh, a GTP tunnel is established for each PDP context, where the GDP tunnel includes a GTP control plane over a Gn or Gp interface, and a GTP user plane over Gn, Gp, and Iu interfaces. *Id.*, ¶ [0009]. As depicted in Fig. 1 of Kavanaugh, the Gn interfaces are between SGSNs, between an SGSN and a GGSN, or between the GGSN and a GTP map protocol converting GSN. Thus, it is clear that the GTP filter, which is used to examine GTP messages, is implemented in a GSN, and **not** in a mobile station.

Therefore, it is clear that Kavanaugh fails to disclose at least the “creating” and “limiting” elements of claim 26.

With respect to claim 26, the Office Action also cited the following passages of Hippelainen: column 2, lines 53-54; column 8, lines 20-31. 10/13/2010 Office Action at 9. The cited column 2 passage refers to activating PDP contexts using mobility management procedures. The cited column 8 passage of Hippelainen refers to a context control unit 12, which is part of the GGSN 4. It is clear that the GGSN 4 of Hippelainen is **not** the mobile station of claim 26. Therefore, Hippelainen also provides absolutely no teaching or hint of at least the “creating” and “limiting” elements of claim 26.

In view of the foregoing, it is respectfully submitted that even if Kavanaugh and Hippelainen could be hypothetically combined, the hypothetical combination of the references would not have led to the claimed subject matter. Moreover, in view of the significant differences between the claimed subject matter and the teachings of Kavanaugh and Hippelainen, no reason existed that would have prompted a person of ordinary skill in the art to combine the teachings of the references to achieve the claimed subject matter.

In view of the foregoing, it is respectfully submitted that claim 26 is clearly non-obvious over Kavanaugh and Hippelainen. Independent claim 20 is allowable over Kavanaugh and Hippelainen for similar reasons as claim 26.

Dependent claims are allowable for at least the same reasons as corresponding base claims.

In view of the foregoing, it is respectfully requested that the final rejections of the claims be withdrawn. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 14-1315 (16359FRUS03N).

Respectfully submitted,

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